

PROCEEDINGS

Lower Fremont River Distribution System
1975 Annual Meeting - Wayne County Courthouse, Loa
2:00 P.M. - April 22, 1975

The meeting was chaired by Kenward H. McKinney, Southeastern Utah Area Engineer, Division of Water Rights, Price, Utah. The following persons representing the indicated interests, were in attendance at the meeting:

Name-Representing
Kenward H. McKinney - State Engineer
Wesley Jensen - Talmage Jensen
Talmage Jensen - Self
Blain Chappell - Self
Boyd Black - Decreed Right & Torrey Irr. Co. Stockholder
Steven Black - President Cainville Canal Company
Don W. Pace - Secretary Torrey Irrigation Company
Spencer T. Rees - Road Creek Water Users
William F. Wallace - National Park Service
Thaine Taylor - Loa Waterworks
John M. Johnson - Self
Golden Durfey - Self (Notom)
Grant Chappell - Lower Fremont River Commissioner
Clyde Behunin - Torrey Irrigation Company
Karl M. Taft - Arella Paulson & Christensen Ranches
Mont R. Ellett - Bicknell "Old Mill" Ranch
Orlo Durfey - Notom Ranch
Allen Durfey - Notom Ranch
L. Claire Okerlund - Road Creek User
Anne O. Leavitt - Security Ranches, Fremont River & Road Creek.
E. Dean Brian - President Hanksville Canal Company
Orval C. Taylor - Road Creek User
Lurton J. Knee - Sleeping Rainbow Ranch

Mr. McKinney indicated that Judge Tibbs was injured in an accident Sunday evening and that the judge would therefore not be present.

Mr. McKinney read the minutes of the 1974 annual meeting. There was no discussion on the minutes. It was moved by Don Pace and seconded by Thaine Taylor that the minutes be accepted as read. Voting for acceptance of the minutes as read was unanimous.

Copies of the financial reports were then distributed. Mr. McKinney read the Financial Statement for the Lower Fremont River Distribution System. Following this, the Financial Statement for the Road Creek Distribution was read. Mr. Chappell, in response to a direct question, indicated that he had not yet been paid anything on his 1974 contractual services for the Road Creek System. The Road Creek system delinquencies were then discussed. Holders of delinquent accounts indicated that the accounts had been paid or would be paid that day. After additional discussion, Spencer Rees moved and Boyd Black seconded that the financial statement be accepted as read. The motion for acceptance of the Financial Statements as read was unanimous.

There was no old business.

There was no new business.

The River Commissioner, Grant Chappell, then gave his report. The commissioner gave a report of the runoff forecast. He indicated that, because of the late storms, the runoff forecast was for a better than average runoff and a considerably better runoff than in 1974. He indicated that there was approximately 2500 ac.-ft. less water delivered in 1974 than in 1973. Mr. Chappell was then questioned by the water users on certain aspects of regulation and distribution policies and activities. After this discussion Thaine Taylor moved and Don Pace seconded that the report be accepted as submitted. The voting in favor of the motion was unanimous.

The Budget and Assessment for 1975 was then discussed. The first item of discussion was whether or not Mr. Chappell had applied for the position for 1975. Mr. Chappell indicated that when he submitted his 1974 report to Judge Tibbs he indicated that he would be available for the job as Lower Fremont River Commissioner for 1975. He indicated that this was the extent of his comment on the matter in the letter. Mr. Chappell indicated that he would work in 1975 for the same salary as in 1974, which was \$1500. There was some discussion about the mileage allowance. There were two alternatives discussed: (1) a fixed increase and (2) an escalation clause. After some discussion, the water users and the commissioner agreed on a fixed increase of 1¢ per mile and that the mileage allowance for Mr. Chappell on the Lower Fremont River System would be 16¢/mile and that the budget should show such an increase. Mont Ellett moved that Grant Chappell be recommended for appointment as Lower Fremont River Commissioner for 1975; that he be paid \$1500.00 salary; that he be paid 16¢/mile for 4800 miles travel; and that the other budget items be the same as they were in 1974. The motion was seconded by Don Pace. The voting for this motion was unanimous.

The 1975 assessment was then discussed. There was then a question about putting the apparent surplus into time certificate deposits to draw interest. It was pointed out that there was less money assessed than was budgeted and in this way the apparent surplus was being reduced. It was noted that from the 1974 financial statement that approximately \$250 more was expended than was budgeted. There was some discussion about the method of assessment. Mr. Karl Taft moved and Golden Durfey seconded that the assessment for the Lower Fremont River Distribution System in 1975 be the same as for 1974, which was \$2400. The motion was passed unanimously. The Lower Fremont River Distribution System water user's then adjourned.

The Road Creek Distribution System water users then discussed the matter of commissioner, budget and assessment. It was noted that there was in the process of construction a project whereby all of this system would be under sprinkler and that the method of distribution was being considerably altered. It was proposed that the commissioner be used on some sort of per diem basis. Mr. Chappell indicated that he did not feel that it would be really worthwhile to work on an "on call" basis. He also indicated that he would like to have it set up so that he could get 1/2 of his pay half-way through the season and 1/2 at the end of the season. As of this date Mr. Chappell has not received any compensation for his 1974 services to the Road Creek Distribution System. Mr. Chappell indicated that he would perform the duties of Road Creek

River Commissioner under the same terms as in 1974, except that he would like a \$5.00 miscellaneous item in the budget to cover phone calls, etc. He also asked to be paid 1/2 half way through the season and the other 1/2 when he submits his report. After some discussion it was moved by Spencer T. Rees and seconded by Anne O. Leavitt that Grant Chappell be recommended for appointment as 1975 Road Creek River Commissioner; that an additional Budget Item, Miscellaneous Expense in the amount of \$5.00 be added to the 1975 Budget; that the 1975 budget be \$400.00 for Commissioner's Contractual Services and \$5.00 for Miscellaneous Expense; that the assessment for 1975 be the same as 1974, \$400; and that the commissioner be paid 1/2 of his contractual fee half way through the season and the other 1/2 upon submission of his report. The motion was passed unanimously. The Road Creek Water User's then adjourned.